

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

FA/2200

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/069057

INTERNATIONAL APPLICATION NO.

PCT/EP00/04113

INTERNATIONAL FILING DATE

08/05/2000

PRIORITY DATE CLAIMED

16/08/1999

TITLE OF INVENTION

FOOTWEAR WITH SEALED SOLE CONSTRUCTION AND PROCESS FOR ITS PRODUCTION

APPLICANT(S) FOR DO/EO/US

Franz Haimerl

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 18 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail
19. ☐ Other items or information:

Form 1449- Information Disclosure Citation  
References (4)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.101) <b>10/069057</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP00/04113</b>		ATTORNEY'S DOCKET NUMBER <b>FA/220B</b>	
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20. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

<input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO .....	<b>\$930.00</b>
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) .....	<b>\$720.00</b>
<input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....	<b>\$790.00</b>
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	<b>\$1,070.00</b>
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....	<b>\$98.00</b>

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	68 - 20 =	48	x \$22.00	<b>\$1056.00</b>
Independent claims	2 - 3 =	0	x \$82.00	<b>\$0.00</b>
Multiple Dependent Claims (check if applicable).				<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>\$1986.00</b>
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).				<b>\$0.00</b>
<b>SUBTOTAL</b>				<b>\$1986.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>
<b>TOTAL NATIONAL FEE</b>				<b>\$1986.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<b>\$0.00</b>
<b>TOTAL FEES ENCLOSED</b>				<b>\$1986.00</b>
				Amount to be: refunded \$
				charged \$

**CALCULATIONS PTO USE ONLY**

☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.

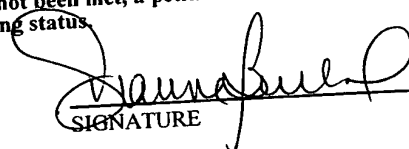
☒ Please charge my Deposit Account No. **07-1729** in the amount of **\$1986.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **07-1729** A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

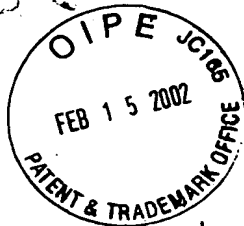
**Dianne Burkhard, Esq.**  
**W. L. Gore & Associates, Inc.**  
**551 Paper Mill Road**  
**P.O. Box 9206**  
**Newark, DE 19714-9206**

  
 SIGNATURE

**Dianne Burkhard**  
 NAME

**41,650**  
 REGISTRATION NUMBER

**February 15, 2002**  
 DATE



02-19-02

PCT# 10/069057

JC20 Rec'd PCT/PTO 15 FEB 2002  
Attorney Docket No. FA/220B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Franz Haimerl

Serial No.: (To be Assigned)

Filed: February 15, 2002

For: Footwear With A Sealed Sole Construction  
and Process for Its Production

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

) Group Art Unit:

) Examiner:

I hereby certify that this correspondence is being deposited with the "Express Mail Post Office to Addressee" service of the United States Postal Service in an envelope addressed to:  
Commissioner of Patents and Trademarks,  
Washington, DC 20231 on February 15, 2002, with an Express Mail Label, bearing the number EK021703013US

*Darlene S. McGrath*

Darlene S. McGrath

*February 15, 2002*  
(date of mailing document)

LETTER OF TRANSMITTAL

Dear Sir:

We enclose the following papers for filing in the U. S. Patent and Trademark Office in connection with the above-identified new Patent Application:

1. Transmittal Letter to the US Designated/Elected Office (2 pages);
2. Certificate of Mailing By "Express Mail" (1 page);
3. Translation of the International Application into English (44 pages);
4. International Search Report for PCT/EP00/04113 (4 pages);
5. Copy of International Preliminary Examination Report (6 pages);
6. Preliminary Amendment (9 pages);
7. Clean Version of Amended Specification and Claims (7 pages);
8. Information Disclosure Statement (1 page);
9. Information Disclosure Citation (1 page); and
10. References (4).

**THE COMMISSIONER IS HEREBY AUTHORIZED AND IS REQUESTED TO CHARGE ALL FILING FEES DUE UNDER 37 C.F.R. §1.16 AND ALL OTHER FEES DUE UNDER SECTION 1.17 DURING THE PENDENCY OF THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO. 07-1729.**

Respectfully submitted,

*Dianne Burkhard*

Dianne Burkhard; 41,650  
W. L. Gore & Associates, Inc.  
551 Paper Mill Road  
P.O. Box 9206  
Newark, DE 19714-9206  
(302) 738-4880

Date: February 15, 2002

10/069057

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

**1013 Rec'd PCT/PTO 15 FEB 2002**

Applicant(s): **Franz Haimerl**

FA/220B

Serial No. (To be Assigned)	Filing Date <b>February 15, 2002</b>	Examiner	Group Art Unit
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Invention: **Footwear With A Sealed Sole Construction and Process for Its Production**

I hereby certify that this **Transmittal Letter to the United States Designated/Elected Office**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on **February 15, 2002**

*(Date)*

**Darlene S. McGrath**

*(Typed or Printed Name of Person Mailing Correspondence)*

*Darlene S. McGrath*

*(Signature of Person Mailing Correspondence)*

**EK021703013US**

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**Note: Each paper must have its own certificate of mailing.**